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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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Frank Godeby

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EXAMINER

MORRISON, JAY A

ART UNIT

PAPER NUMBER

2168

SHORTENED STATUTORY PERIOD OF RESPONSE	MAIL DATE	DELIVERY MODE
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3 MONTHS

12/20/2006

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

If NO period for reply is specified above, the maximum statutory period will apply and will expire 6 MONTHS from the mailing date of this communication.

Office Action Summary	Application No. 10/654,968	Applicant(s) GODEBY ET AL.	
	Examiner Jay A. Morrison	Art Unit 2168	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-5, 8-16, 19, 22-26, 29-37, 40 and 43-51 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8-16, 19, 22-26, 29-37, 40 and 43-51 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 September 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Remarks

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 9/12/06 has been entered.

2. Claims 1-5, 8-16, 19, 22-26, 29-37, 40 and 43-51 are pending.

Claim Rejections - 35 USC § 101

3. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

4. Claims 43-51 are rejected under 35 U.S.C. 101 because the claimed invention lacks patentable utility.

As per claims 43-51, these claims fail to have any utility since if the first and second data sets are generated as the result of the same transaction then any reconciliation report generated would always show that these data sets are the same. This lacks any utility since the results would always be the same.

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

6. Claim 1-5,8,10,12-16,19,22-26,29,31,33-37 and 40 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kucala (Publication Number US2001/0016853 A1) in view of Klein (Patent Number 5,404,509).

As per claim 1, Kucala teaches

"A method for reconciling data, comprising:" (see abstract and background)

"receiving information identifying data sources to be reconciled" (palmtop and PC versions of files, paragraphs [0014] and [0015]);

"retrieving data from a first data source based on a dynamic link identifying data in the first data source; retrieving data from a second data source based on a dynamic link identifying data in the second data source" (using key contents and palmtop and PC file records with identical field order and names not necessary, paragraphs [0023] and [0024]);

"processing a first portion of a reconciliation rule" (palmtop file record translation or conversion, paragraph [0024]) "using the retrieved data from the first data source" (palmtop file record, paragraph [0024]) "to generate a first result" (palmtop file format in format where record can be compared, paragraph [0024]);

"processing a second portion of the reconciliation rule" (PC file record translation or conversion, paragraph [0024]) "using the retrieved data from the second data source" (PC file record, paragraph [0024]) "to generate a second result" (PC file format in format where record can be compared, paragraph [0024]);

"comparing the first result with the second result" (format where records compared, paragraph [0024]);

Kucala does not explicitly indicate "storing to memory a reconciliation report, wherein the reconciliation report presents data for selected fields of the first and second data sources, and further provides a first indication if data for corresponding fields are matched and a second indication if data for corresponding fields are not matched".

However, Klein discloses “storing to memory a reconciliation report, wherein the reconciliation report presents data for selected fields of the first and second data sources, and further provides a first indication if data for corresponding fields are matched and a second indication if data for corresponding fields are not matched” (user notes discrepancies in fields and comparison report generated, column 18, line 66 through column 19, line 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kucala and Klein because using the steps “storing to memory a reconciliation report, wherein the reconciliation report presents data for selected fields of the first and second data sources, and further provides a first indication if data for corresponding fields are matched and a second indication if data for corresponding fields are not matched” would have given those skilled in the art the tools to improve the invention by comparing the contents of data and noting any discrepancies. This gives the user the advantage of being able to find data that does not match.

As per claim 2, Kucala teaches

“adding a first selected portion” (merging palmtop file, paragraph [0017]) “of the retrieved data to generate the first result” (palmtop file format in format where record can be compared, paragraph [0024]).

As per claim 3, Kucala teaches

"subtracting a second selected portion" (duplicate PC records filtered out, paragraph [0017]) "of the retrieved data to generate the first result" (palmtop file format in format where record can be compared, paragraph [0024]).

As per claim 4, Kucala teaches

"adding a first selected portion" (merging palmtop file, paragraph [0017]) "of the retrieved data to generate the second result" (pc file format in format where record can be compared, paragraph [0024]).

As per claim 5, Kucala teaches

"subtracting a second selected portion" (duplicate PC records filtered out, paragraph [0017]) "of the retrieved data to generate the second result" (pc file format in format where record can be compared, paragraph [0024]).

As per claim 8, Kucala teaches

"the dynamic link identifying data in the first data source identifies a location of the data in the first data source" (index field, paragraph [0023]).

As per claim 10, Kucala teaches

"the dynamic link identifying data in the second data source identifies a location of the data in the second data source" (index field, paragraph [0023]).

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As per claim 12,19,22,33 and 40

These claims are respectively rejected on grounds corresponding to the arguments given above for rejected claim 1 and are similarly rejected.

As per claims 13-16,23-26 and 34-37

These sets of claims are respectively rejected on grounds corresponding to the arguments given above for rejected claims 2-5 and are similarly rejected.

As per claims 29,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 8 and is similarly rejected.

As per claims 31,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 10 and is similarly rejected.

7. Claims 9,11,30, and 32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kucala (Publication Number US2001/0016853 A1) in view of Klein (Patent Number 5,404,509) and further in view of Lowell (Patent Number 5,341,476).

As per claim 9, Kucala teaches

"the dynamic link identifying data in the first data source further identifies" (group of index fields, paragraph [0023]) "...from the first data source" (palmtop, paragraph [0022]).

Neither Kucala nor Klein explicitly indicate "a routine to retrieve data"

However, Lowell discloses "a routine to retrieve data" (read data function, column 10, lines 3-23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kucala, Klein and Lowell because using the steps "a routine to retrieve data" would have given those skilled in the art the tools to improve the invention by reducing the overhead of tracking which modules supply data to other modules. This gives the user the advantage of using dynamic modules that can be determined at run-time.

As per claim 11, Kucala teaches

"the dynamic link identifying data in the second data source further identifies" (group of index fields, paragraph [0023]) "...from the second data source" (PC, paragraph [0022]).

Neither Kucala nor Klein explicitly indicate "a routine to retrieve data"

However, Lowell discloses "a routine to retrieve data" (read data function, column 10, lines 3-23).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kucala, Klein and Lowell because using the steps "a routine to

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retrieve data" would have given those skilled in the art the tools to improve the invention by reducing the overhead of tracking which modules supply data to other modules. This gives the user the advantage of using dynamic modules that can be determined at run-time.

As per claims 30,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 9 and is similarly rejected.

As per claims 32,

This claim is rejected on grounds corresponding to the arguments given above for rejected claim 11 and is similarly rejected.

8. Claims 43-51 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kucala (Publication Number US2001/0016853 A1) in view of Klein (Patent Number 5,404,509) and further in view of Putman et al. ('Putman' hereinafter) (Publication Number 2003/0208405).

As per claim 43, Kucala discloses

"A computer implemented method for data reconciliation, comprising:" (see abstract and background)

"retrieving a first set of data from a first data source using a first dynamic link and retrieving a second set of data from a second data source using a second dynamic link" (paragraphs [0017],[0024]) ", wherein the first and second data sources are functionally independent" (palmtop and pc, paragraph [0016]);

"forming a reconciliation equation comprising the first and second sets of data" (paragraph [0024]);

"evaluating the reconciliation equation" (translations or conversions, paragraph [0024]);

Kucala does not explicitly indicate "and outputting a reconciliation report based on evaluation of the reconciliation equation".

However, Klein discloses "and outputting a reconciliation report based on evaluation of the reconciliation equation" (column 18, line 66 through column 19, line 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kucala and Klein because using the steps "and outputting a reconciliation report based on evaluation of the reconciliation equation" would have given those skilled in the art the tools to improve the invention by comparing the contents of data note any discrepancies. This gives the user the advantage of being able to find data that does not match.

Neither Kucala nor Klein explicitly indicate "and the first and second sets of data are generated as a result of the same transaction".

However, Putman discloses "and the first and second sets of data are generated as a result of the same transaction" (perform transaction at each user station at the same time with the ATM, paragraph [0098]).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kucala, Klein, and Putman because using the steps "and the first and second sets of data are generated as a result of the same transaction" would have given those skilled in the art the tools to allow synchronization of different computer systems. This gives the user the advantage of being insured of equivalent data across machines and platforms.

As per claim 44, Kucala discloses

"the first dynamic link identifies criteria for determining data of the first data source to include in the first set of data and the second dynamic link identifies criteria for determining data of the second data source to include in the second set of data" (backup files, paragraph [0016]).

As per claim 45, Kucala discloses

"the first dynamic link specifies retrieval of the first set of data and the second dynamic link specifies retrieval of the second set of data" (paragraph [0023]).

As per claim 46, Kucala discloses

"forming comprises specifying an operator of the reconciliation equation"
(paragraph [0024]).

As per claim 47,

Kucala does not explicitly indicate "evaluating comprises: processing the first set of data to generate a first reconciliation result; and processing the second set of data to generate a second reconciliation result".

However Klein discloses "evaluating comprises: processing the first set of data to generate a first reconciliation result; and processing the second set of data to generate a second reconciliation result" (column 18, line 66 through column 19, line 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kucala, Klein, and Putman because using the steps "evaluating comprises: processing the first set of data to generate a first reconciliation result; and processing the second set of data to generate a second reconciliation result" would have given those skilled in the art the tools to improve the invention by comparing the contents of data note any discrepancies. This gives the user the advantage of being able to find data that does not match.

As per claim 48,

Kucala does not explicitly indicate "outputting comprises identifying portions of the first set of data that are not equivalent to corresponding portions of the second set of data".

However, Klein discloses “outputting comprises identifying portions of the first set of data that are not equivalent to corresponding portions of the second set of data” (column 18, line 66 through column 19, line 3).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kucala, Klein, and Putman because using the steps “outputting comprises identifying portions of the first set of data that are not equivalent to corresponding portions of the second set of data” would have given those skilled in the art the tools to improve the invention by comparing the contents of data note any discrepancies. This gives the user the advantage of being able to find data that does not match.

As per claim 49,

Kucala does not explicitly indicate “outputting comprises identifying portions of the first set of data that are equivalent to corresponding portions of the second set of data”.

However, Klein discloses “outputting comprises identifying portions of the first set of data that are equivalent to corresponding portions of the second set of data” (column 19, lines 4-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kucala, Klein, and Putman because using the steps “outputting comprises identifying portions of the first set of data that are equivalent to corresponding portions of the second set of data” would have given those skilled in the

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art the tools to improve the invention by comparing the contents of data note any discrepancies. This gives the user the advantage of being able to find data that does not match.

As per claim 50,

Kucala does not explicitly indicate "outputting comprises providing further details on individual components of the first and second sets of data".

However, Klien discloses "outputting comprises providing further details on individual components of the first and second sets of data" (column 19, lines 4-13).

It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kucala, Klein, and Putman because using the steps "outputting comprises providing further details on individual components of the first and second sets of data" would have given those skilled in the art the tools to improve the invention by comparing the contents of data note any discrepancies. This gives the user the advantage of being able to find data that does not match.

As per claim 51,

Kucala does not explicitly indicate "outputting comprises outputting the reconciliation report in accordance with user-defined preferences".

However, Klien discloses "outputting comprises outputting the reconciliation report in accordance with user-defined preferences" (column 19, lines 4-13).

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It would have been obvious to one of ordinary skill in the art at the time of the invention to combine Kucala, Klein, and Putman because using the steps "outputting comprises outputting the reconciliation report in accordance with user-defined preferences" would have given those skilled in the art the tools to improve the invention by comparing the contents of data note any discrepancies. This gives the user the advantage of being able to find data that does not match.

Response to Arguments

9. Applicant's arguments with respect to claim 1-5, 8-16, 19, 22-26, 29-37, 40, and 43-51 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

The prior art made of record, listed on form PTO-892, and not relied upon is considered pertinent to applicant's disclosure.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jay A. Morrison whose telephone number is (571) 272-7112. The examiner can normally be reached on M-F 8-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Tim Vo can be reached on (571) 272-3642. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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